


JUN 02 2005

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION

JOHN F. CORCORAN, CLERK  
BY:  DEPUTY CLERK

WANDA B. DUNN,	)	CIVIL ACTION NO. 3:04CV00030
	)	
Plaintiff,	)	
	)	
v.	)	<u>ORDER</u>
	)	
JO ANNE B. BARNHART,	)	
Commissioner of Social Security,	)	
	)	
Defendant.	)	JUDGE JAMES H. MICHAEL, JR.

By order dated August 26, 2004, this case was referred to the presiding United States Magistrate Judge for proposed findings of fact and a recommended disposition. Following a ruling on the merits, counsel for the plaintiff filed a motion for attorney's fees on March 22, 2005. Specifically, counsel petitions the court to allow a fee of \$2,962.50 for services rendered in the United States District Court for the Western District of Virginia as attorney for the plaintiff. The Commissioner did not respond to the motion. On May 10, 2005, the Magistrate Judge filed a Report and Recommendation, which recommended that plaintiffs' counsel be awarded the amount requested for her court-related services, without prejudice to seek compensation for the services she performed for the plaintiff before the Social Security Administration. After a careful review of the entire record in this case, and no objection having been filed to the Magistrate Judge's Report within ten (10) days of its service upon the parties, *see* Fed. R. Civ. P. 72(b), the court adopts the Magistrate Judge's Report in its entirety. It is accordingly this day

ADJUDGED, ORDERED, AND DECREED

as follows:

1. The Report and Recommendation of the United States Magistrate Judge, filed May 10, 2005 shall be, and hereby is, ADOPTED in its entirety;
2. The plaintiff's motion for attorney's fees, filed March 22, 2005 shall be, and hereby is, GRANTED;
3. Counsel for the plaintiff shall be, and hereby is, awarded \$2,962.50 in attorney's fees, under the Equal Access to Justice Act, 28 U.S.C.A. § 2412, *et. seq.* (West 1994 & Supp. 2000).

The Clerk of the Court hereby is directed to send a certified copy of this Order to all counsel of record and to Magistrate Judge Crigler.

ENTERED:

*James B. Michael, Jr.*  
Senior United States District Judge

6-2-05  
Date